

The Honorable Kymberly K. Evanson

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA and the states
of ALASKA, IDAHO, MONTANA, NEW
MEXICO, OREGON, and WASHINGTON *ex*
rel. DR. CARL ROSEN,

Plaintiffs,

v.

PACIFIC CATARACT AND LASER
INSTITUTE, and DR. ROBERT FORD,

Defendants.

CASE NO. 2:19-cv-01018-KKE

ORDER

The Court has received notification that the United States and the States of Alaska, Idaho, Montana, New Mexico, Oregon, and Washington (collectively, the Governmental Entities) have declined at this time to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) and the relevant state analogues. *See* Dkt. No. 31. Accordingly, it is hereby ORDERED that:

1. The Complaint, this Order, the Governmental Entities' Notice of Declination, and all other papers on file in this action shall be unsealed;

2. Relator shall serve a copy of the Complaint, this Order, and the Governmental

1 Entities' Notice of Declination on Defendants;

2 3. The parties shall serve all pleadings and motions filed in this action, including
3 supporting memoranda, upon the Governmental Entities, as provided for in 31 U.S.C. § 3730(c)(3)
4 and the relevant state analogues. The Governmental Entities may seek dismissal of Relator's action
5 or claims, order any deposition transcripts, and are entitled to intervene in this action, for good
6 cause, at any time;

7 4. The parties shall serve all notices of appeal upon the Governmental Entities;

8 5. All orders of this Court shall be sent to the Governmental Entities; and

9 6. Should Relator or any Defendant propose that this action be dismissed, settled, or
10 otherwise discontinued, the Court will provide the Governmental Entities with notice and an
11 opportunity to be heard before ruling or granting its approval.

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13 DATED this 27th day of September, 2023.

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15 _____
16 Kymberly K. Evanson
17 United States District Judge

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19 Presented by:

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